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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,962	06/21/2006	Reinhold Braam	112740-1139	9725
29177	7590	11/27/2009		
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EXAMINER				
KHAN, MEHMOOD B				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
11/27/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/595,962

**Applicant(s)**

BRAAM ET AL.

**Examiner**

MEHMOOD B. KHAN

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/16/2009 has been entered.

### ***Response to Arguments***

Applicant's arguments filed 09/16/2009 have been fully considered but they are not persuasive.

Applicant argues on page 6 that "Naddell cannot teach the limitations of amended Claim 22 recited above. In addition, Naddell also cannot teach similar limitations of amended Claim 17, such as "wherein each of the at least two mobile radio communication systems provides the mobile communication terminal at least one service of the same service type" and "a plurality of service type lists corresponding to the plurality of different service types, the list for each particular service type comprising services of the same particular type which are provided by any of said mobile radio networks.""

The Examiner respectfully disagrees. Naddell clearly discloses wherein each of the at least two mobile radio communication systems provides the mobile communication terminal at least one service of the same service type (**Fig. 2: 208, 209, where Naddell discloses that S3 is provided in both systems A and B**). Naddell

clearly discloses a plurality of service type lists corresponding to the plurality of different service types, the list for each particular service type comprising services of the same particular type which are provided by any of said mobile radio networks (**Fig. 2, where Naddell discloses that a plurality of service types, read as services S1-S4, are provided from a plurality of service type lists, i.e. the services listed next to each system, Service S3 is repeated in both lists for system A and B, thus services of the same particular type).**

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 17 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Naddell et al. (US 5,613,213 herein Naddell).**

Claim 17, Naddell a mobile communication terminal for operation of at least two mobile radio communication systems in respectively associated mobile radio networks (**Fig. 1: 101, 102, 108, where Naddell discloses system A, system B and mobile unit**), comprising: Naddell discloses each said mobile radio communication system operable to provide a user of said mobile communication terminal with a plurality of services of different types (**Fig. 1: 108, 101, 102, Fig. 2: 208, 209, where Naddell discloses a mobile phone in communication with two different networks offering different services**), Naddell discloses wherein said mobile communication terminal is

connected to receive and effect further processing of a plurality of data records wherein each said data record is associated with one respective type of said services (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems; Col 3: 41-48, Fig. 2: 201, where Naddell discloses a controller and processing of indicators**), Naddell discloses wherein each of the at least two mobile radio communication systems provides the mobile communication terminal at least one service of the same service type (Fig. 2: 208, 209, where Naddell discloses that S3 is provided in both systems A and B); Naddell discloses a plurality of service type lists corresponding to the plurality of different service types, the list for each particular service type comprising services of the same particular type which are provided by any of said mobile radio networks (Fig. 2, where Naddell discloses that a plurality of service types, read as services S1-S4, are provided from a plurality of service type lists, i.e. the services listed next to each system, Service S3 is repeated in both lists for system A and B, thus services of the same particular type), Naddell discloses said services stored using said data records, said data records containing information used by said services to be assessed by a user (**Fig. 2: 205, 207, 208, 209, where Naddell discloses a memory, table, systems and services; Col 2: 12-21, where Naddell discloses information, i.e. records, decoded to display services to a user).**

Claim 22, Naddell discloses at least two mobile radio networks, each said mobile radio network associated with a radio communication standard (**Fig. 1: 101, 102, where Naddell discloses system A and system B; it is well known in the art that mobile networks incorporate standards such as GSM, IS-95, etc.**), Naddell inherently

discloses each said mobile radio network further comprising a plurality of mobile communication terminals (**It is well known that mobile radio networks have multiple users, thus plurality of mobile communication terminals**), Naddell discloses wherein each said mobile communication terminal is operable for at least two mobile radio networks (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems, thus operable in more than one system**), Naddell discloses each said mobile radio network providing a user of said mobile communication terminal with a plurality of services of different types (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems**); Naddell discloses wherein at least two said mobile radio networks are operable for transmitting data records (**Col 2: 14-23, where Naddell discloses sending information to a mobile from different radio networks**), Naddell discloses each said data records associated with a plurality of said services, and said data records contain information used by said services to be assessed by a user (**Col 2: 12-21, where Naddell discloses information, i.e. records, decoded to display services to a user**), and wherein said services are consistent for at least two said mobile radio networks (**Col 3: 28-32, Fig. 2: 209, where Naddell discloses services available in two networks**).

The amendment to claim 22, analyzed with respect to the limitations as discussed in claim 17.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naddell in view of Seppanen et al. (US 5,903,832 herein Seppanen).**

Claim 18, Naddell does not explicitly disclose wherein entries in said service type list have different priority among each other.

In an analogous art, Seppanen discloses wherein entries in said service type list have different priority among each other **(Col 4: 2-4, where Seppanen discloses selecting networks from a prioritized list)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list **(Col 3: 49-50)**.

Claim 19, Naddell does not explicitly disclose wherein an assessment criterion is defined for the priority.

In an analogous art, Seppanen discloses wherein an assessment criterion is defined for the priority **(Col 4: 5-9, where Seppanen discloses different priorities of different networks)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list **(Col 3: 49-50)**.

Claim 20, Naddell does not explicitly disclose wherein the assessment criterion is user-defined.

In an analogous art, Seppanen discloses wherein the assessment criterion is user-defined **(Col 4: 15-20, where Seppanen discloses programming priority)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list **(Col 3: 49-50)**.

Claim 21, Naddell discloses wherein said mobile communication terminal is operable such that said service type list can be shown on a display device on said mobile communication terminal **(Abstract, where Naddell discloses displaying on a display)**, Naddell discloses further comprising selection means for selecting a service of a desired service type from said list **Fig. 3: 301, 306, where Naddell discloses choosing of a system)**.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEHMOOD B. KHAN whose telephone number is (571)272-9277. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for



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/M. B. K./  
Examiner, Art Unit 2617

/Lester Kincaid/  
Supervisory Patent Examiner, Art Unit 2617